



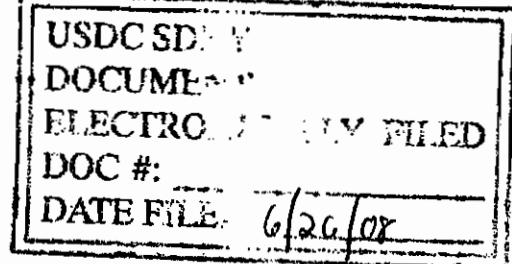
United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

June 24, 2008

By Hand

Hon. Denny Chin
United States District Judge
United States Courthouse
500 Pearl Street, Room 1020
New York, New York 10007



Re: Matrisol Cruz v. Astrue
07 Civ. 9664 (DC)

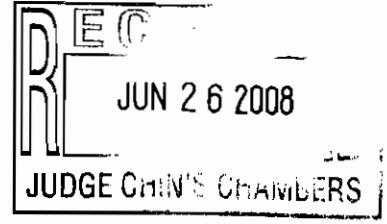
Dear Judge Chin:

This Office represents the Commissioner of Social Security, defendant in the above-captioned action. We write respectfully to a request an extension nunc pro tunc of the Court's briefing schedule.

Your Honor's chambers advised this Office that the Court issued a scheduling order, electronically and by fax, making the Government's motion for judgment on the pleadings due by June 6, 2008, plaintiff's opposition papers due by July 2008, and the Government's reply was due by July 2008. I did not, however, receive the fax copy of the Court's order, nor did I receive notification, via ECF, that the Court had entered its order on docket. I have reviewed this matter further and have contacted the agency regarding its position in this case. I also plan to write to the agency this week to ask it to address some specific questions I have regarding this matter. In view of the foregoing, we respectfully request that this Court's briefing schedule be amended as follows:

- (1) Defendant shall serve a brief in support of his motion by July 17, 2008.
- (2) Plaintiff shall serve her opposition papers August 15, 2008;
- (3) Defendant shall serve a reply, if any, by August 29, 2008.

*Approved.
so ordered.
JCH
wps 6/26/08*

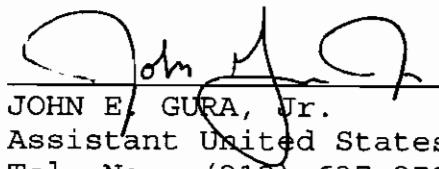


Plaintiff has kindly consented to this request.

We apologize again for the error, and thank this Court for its consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

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